

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

PUBLIC SERVICES - Sri Chandarlapati Nageswara Rao, the then Station Fire Officer, Kothapeta (V) & (M), Earstwhile East Godavari District (now Retired) – Departmental proceedings under Rule 9 of Revised Pension Rules, 1980 – Articles of Charges – Orders - Issued.

HOME (SC.B) DEPARTMENT

G.O.Rt.No.545

Dated.18/05/2023

Read:-

G.O.Ms.No.97, Home (SC.B) Department, dated.18-05-2023.

ORDER:

In pursuance of the sanction accorded by the Government under sub-clause(i) of clause (b) of sub-rule (2) of rule 9 of Andhra Pradesh Revised Pension Rules, 1980 for instituting departmental proceedings against Sri Chandarlapati Nageswara Rao, the then Station Fire Officer, Kothapeta (V) & (M), Earstwhile East Godavari District (now Retired) vide reference read above, it is proposed to hold an enquiry against Sri Chandarlapati Nageswara Rao, the then Station Fire Officer, Kothapeta (V) & (M), Earstwhile East Godavari District (now Retired) in accordance with the procedure laid down in rule 20 of the Andhra Pradesh Civil Services(Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charges (Annexure-I). A statement of the imputations of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of witnesses by whom and a list of documents by which, the articles of charges are proposed to be sustained are also enclosed (Annexure-III and IV).

3. Sri Chandarlapati Nageswara Rao, the then Station Fire Officer, Kothapeta (V) & (M), Earstwhile East Godavari District (now Retired) is directed to submit within 10 days of the receipt of this Memorandum a written statement of his defence and also to state whether he desires to be heard in person.

4. He is informed that an Inquiry will be held only in respect of those articles of charges as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri Chandarlapati Nageswara Rao, the then Station Fire Officer, Kothapeta (V) & (M), Earstwhile East Godavari District (now Retired) is further informed that if he does not submit his written statement of defence on or before the date specified in para 3 above, or does not appear in person before the Inquiring authority or otherwise fails or refuses to comply with the provisions of Rule 20 of APCS (CC&A) Rules, 1991 read with Rule 9 of Andhra Pradesh Revised Pension Rules, 1980, or the orders /directions issued in pursuance of the said rules, the inquiring authority may hold the inquiry against him ex parte.

6. The receipt of this G.O. may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**HARISH KUMAR GUPTA
PRINCIPAL SECRETARY TO GOVERNMENT**

To

Sri Chandarlapati Nageswara Rao, the then Station Fire Officer,
Kothapeta (V) & (M), Earstwhile East Godavari District (now Retired)
through the Director General, State Disaster Response & Fire Services,
Andhra Pradesh, Vijayawada.

The Director General, State Disaster Response & Fire Services, Andhra Pradesh,
Vijayawada.

Copy to: The Director General, Anti Corruption Bureau, Vijayawada.

The Commissioner, APVC, AP Secretariat, Velagapudi.

SF/SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER(SC)

ANNEXURE-I

DRAFT ARTICLE OF CHARGES FRAMED AGAINST SRI CHANDARLAPATI NAGESWARA RAO, STATION FIRE OFFICER, KOTHAPETA, EAST GODAVARI DISTRICT.

Sri Chandarlapati Nageswara Rao, S/o Late Panakalu joined in Government service as Driver operator, in the year 1985 and worked at Kovvuru, Palakollu, Chintalapudi, Jangareddygudem, Bhimadole of West Godavari District. Later he was promoted as Station Fire Officer and posted to Pithapuram, Later he was transferred to Kothapeta, East Godavari District on 18.11.2014. While working as Station Fire Officer, Kothapeta from 18-11-2014 to 01.09.2017 in East Godavari District, he committed grave mis-conduct in much as.

That Sri Chandarlapati Nageswara Rao did not submit the Inspection report (pertaining to the issuance of renewal of NOC to Vijaya Nursing Home of Dr. P. Sudhakar at Ravulapadu (V), Ravulapalem (M), East Godavari District) within the stipulated time i.e. on 05-08-2017, but he submitted the report on 31-08-2017 and failed to be prompt in his official dealing with public and violated Rule 3-B(b) of APCS (Conduct) Rules, 1964.

Thus, Sri Chandarlapati Nageswara Rao, by his above mentioned acts has failed to maintain absolute integrity, devotion to duty and conduct unbecoming of a Government Servant and thereby contravened Rule 3(1) & (2) of AP. Civil Service (Conduct) Rules 1964.

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ANNEXURE-II

STATEMENT OF IMPUTATION OF MIS-CONDUCT IN SUPPORT OF THE ARTICLE OF CHARGE FRAMED AGAINST SRI CHANDARLAPATI NAGESWARA RAO, STATION FIRE OFFICER, KOTHAPETA, EAST GODAVARI DISTRICT.

Sri Chandarlapati Nageswara Rao, S/o Late Panakalu, is native of Tadikalapudi village, Chintalapudi Mandal, West Godavari District. His date of birth is 18.06.1961. He was joined in Government service as Driver operator in the year 1985 and worked at Kovvuru, Palakollu, Chintalapudi, Jangareddygudem, Bhimadole of West Godavari District. Later he was promoted as Station Fire Officer, Pithapuram. Later he was transferred to Kothapeta, East Godavari District on 18.11.2014 and working till the date of trap i.e, on 01.09.2017. His basic pay is Rs.58,330/- (Scale Rs.26,600-77,030) in RPS 2015. He is due to retire on attaining the age of superannuation on 31.06.2021. He is here-in- after referred to as Government Servant.

On 30.08.2017 at 20.00 hrs Dr. Penumatsa Sudhakar S/o. P.V.R.K. Pullam Raju, age 45 years, M.B.B.S., (Eye Specialist) Ravulapadu Village, Ravulapalem Mandal, East Godavari District came to the Office of DSP, ACB Rajamahendravaram and lodged a written report to DSP, ACB Rajamahendravaram alleging that the Govt. Servants Sri Chandarlapati Nageswara Rao, SFO, Kothapeta & Sri Komma Venkata Trinadha Prasada Rao, Asst. District Fire Officer, I/c DFO., Kakinada, East Godavari District demanded Rs.10,000/- & 40,000/- bribe for doing official favour for processing the Fire safety 'No Objection Certificate' (NOC) pertaining to the hospital M/s Vijaya Nursing Home of the complainant. Based on the said report, a case in Cr.No. 11/RCT-RJY/2017 was registered against the Government Servant and Sri K.V.T. Prasada Rao. After observing the legal formalities, the Sri Chandralapati Nageswara Rao, SFO, Kothapeta was trapped when he further demanded and accepted bribe of Rs.10,000/- for himself and Rs.40,000/- for Sri K.V.T Prasad Rao, Assistant District Fire Officer on his earlier instructions and sent message through his cell phone informing receipt of bribe of Rs.40,000/- from the complainant.

Whereas, during the course of investigation, on examination, Sri G. Srinivasalu, S/o Chinna Ramaiah, Regional Fire Officer, Eastern Region, Olo D.G. Fire Services, A.P., Vijayawada stated that he assumed charge as a Regional Fire Officer, Eastern Region on 28.08.2017 at Vijayawada. He was promoted as a Regional Fire Officer and posted to Municipal Corporation, Vijayawada vide G.O. Ms.No.135 Home (Disaster response & Fire service) Dept. Dated 11.08.2017. While going on promotion he handed over full additional charge to Sri K.V.T. Prasada Rao, Asst. District Fire Officer, Kakinada vide Rc.No. 2280/A1/2017 dated 19.08.2017. He further stated that M/s Vijaya Nursing home, Ravulapalem, East Godavari District belongs to Dr. Penmatsa Sudhakar has obtained provisional NOC vide Rc.No.230/RFO/ER/2016 dated 12.04.2016 of RFO, Eastern Region, Vijayawada, further obtained occupancy NOC vide Rc.No.230/RFO/ER/2016, Dt. 15.07.2016 of RFO, ER, Vijayawada. Thereafter, the Management has applied for renewal of their NOC vide ID No. 9440504496 Dr. P. Sudhakar dated 11.07.2017. After the application received by the DFO office, Kakinada, they have submitted to RFO, ER Vide RC.No.2019/A1/2017, dt.14.07.2017. The RFO in turn constructed an inspection committee consisting of DFO-Kakinada (Chairman), ADFO Sri K.V.T. Prasada Rao & SFO, Government Servant Kothapeta - Members vide Memo Rc.No.230/RFO/ER/2016 dated 24.07.2017 duly submitting the inspection report on or before 05.08.2017 by sending application along with challana Rs.8500/- Further, the inspection committee have not submitted the inspection report within the stipulated time and further the inspection report received vide Rc.No.955/DFO/E.G/KKD/2016, dated 30.08.2017 from the Inspection committee consisting of DFO & ADFO E.G District and concerned SFO, Kothapeta, E.G. District.

Thus, Sri Chandarlapati Nageswara Rao did not submit the Inspection report (pertaining to the issuance of renewal of NOC to Vijaya Nursing Home of Dr. P. Sudhakar at Ravulapadu (V), Ravulapalem (M), E.G. District) within the stipulated time i.e. on 05-08-2017, but he submitted the report on 31-08-2017 and failed to be prompt in his official dealings with public and violated Rule 3-B(b) of APCS (Conduct) Rules, 1964.

(P.T.O.)

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Thus, Sri Chandarlapati Nageswara Rao, by his above mentioned acts has committed grave mis-conduct and failed to maintain absolute integrity, devotion to duty and conduct unbecoming of a Government Servant and thereby contravened Rule 3(1) & (2) of A.P. Civil Service (Conduct) Rules 1964.

Thus, the Government Servant therefore rendered himself liable for regular departmental action for major penalty.

HARISH KUMAR GUPTA
PRINCIPAL SECRETARY TO GOVERNMENT

ANNEXURE-III

LIST OF WITNESSES

1.	Sri Penmatsa Sudhakar, S/o V.R.K. Pullam Raju, M.B.B.S., Doctor (Eye Specialist). M/s Vijaya Nursing home, Ravulapadu (V), Ravulapalem (M), E.G district (Complainant).
2.	Sri G. Srinivasalu, S/o Chinna Ramaiah, Regional Fire officer, Eastern Region, O/o D.G. Fire Services, AP. Vijayawada.
3.	Sri M. Sudhakara Rao, Dy. Supdt. of Police, Anti Corruption Bureau Rajamahendravaram Range, Rajamahendravaram.
4.	Sri P.V. Surya Mohan Rao, Range Inspector-1, Anti Corruption Bureau, Rajamahendravaram Range.
5.	Any other witnesses whose evidence is relevant during investigation.

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ANNEXURE-IV

LIST OF DOCUMENTS

1.	Official favour <u>File pertaining to the complainant Dr. P.Sudhakar of Ravulapadu (V), Ravulapalem (M) (containing 3 sheets and 5 photos).</u> Sheet.No.1: Letter R.C.No.2019/A1/2017, dt.14-07-2017 of DFO (FAC). E.G. District, Kakinada. The DFO send the original file of the M/s Vijaya Nursing Home to the Regional Fire Officer, Eastern Region, Vijayawada for renewal of Fire Safety N.O.C through this letter. Sheet.No.2: Memorandum vide R.C.No.230/RFO/ER/2016, dt.24-07-2017 from R.F.O, Vijayawada. The R.FO Vijayawada. The F.S.O, Vijayawada instructed the DFO, ADFO, E.G District Kakinada and S.F.O Kothapeta should inspect the M/s Vijaya Nursing Home and further instructed DFO & ADFO submit their inspection report to him. Sheet.No.3: Copy of Challan No. 5294 for Rs.8,500/- taken in the name of D.F.O, Kakinada by the Dr. Durga Devei, M/s Vijaya Nursing Home, Ravulapadu (V) on 10-07-2017. Photos-5 Nos: Photos of M/s Vijaya Nursing Home, Ravulapadu (V), Ravulapalem (M) of the complainant.
2.	Inspection Report of Vijaya Nursing Home, R.S.No.177/3, D.No.2-250, Lakshmi polavaram village, Ravulapadu village, Ravulapalem mandal vide R.C.No.955/DFO/EG/KKD/2016, dt.30.8.2017 & Memorandum vide R.C.No. 230/RFO/ER/2016, office of the RFO, Eastern Region, Vijayawada, dt.24.7.2017 (containing 4 sheets).
3.	161 Cr.P.C. Statement of Sri G. Srinivasalu, S/o Chinna Ramaiah, Regional Fire, officer, Eastern Region, O/o D.G. Fire Services, A.P., Vijayawada.
4.	Any Other records which are required during the course of investigation will be obtained.

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